



DEPARTMENT OF VETERANS AFFAIRS

Billing Code 8320-01

[OMB Control No. 2900-0590]

Agency Information Collection (Department of Veterans Affairs Acquisition Regulations Clause 852.237-7, Indemnification and Medical Liability Insurance) Under OMB Review

AGENCY: Office of Management, Department of Veterans Affairs

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501 - 3521), this notice announces that the Office of Management (OM), Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden; it includes the actual data collection instrument.

DATES: Comments must be submitted on or before [Insert date 30 days after date of publication in the FEDERAL REGISTER].

ADDRESSES: Submit written comments on the collection of information through [www.Regulations.gov](http://www.Regulations.gov), or to Office of Information and Regulatory Affairs, Office of Management and Budget, Attn: VA Desk Officer; 725 17<sup>th</sup> St. NW, Washington, DC 20503 or sent through electronic mail to [oir\\_submission@omb.eop.gov](mailto:oir_submission@omb.eop.gov). Please refer to "OMB Control No. 2900-0590" in any correspondence.

FOR FURTHER INFORMATION CONTACT: Crystal Rennie, Enterprise Records Service (005R1B), Department of Veterans Affairs, 810 Vermont Avenue, NW, Washington, DC 20420, (202) 632-7492 or e-mail [crystal.rennie@va.gov](mailto:crystal.rennie@va.gov). Please refer to “OMB Control No. 2900-0590.”

SUPPLEMENTARY INFORMATION: Under the PRA of 1995 (Public Law 104-13; 44 U.S.C. 3501 – 3521), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, OM invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of OM’s functions, including whether the information will have practical utility; (2) the accuracy of OM’s estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Titles:

- a. Veterans Affairs Acquisition Regulation Clause 852.237-7, Indemnification and Medical Liability Insurance.
- b. Veterans Affairs Acquisition Regulation Clause 852.228-71 (formerly 852.237.71), Indemnification and Insurance.

- c. Veterans Affairs Acquisition Regulation Clause 852.207-70, Report of Employment Under Commercial Activities.

OMB Control Number: 2900-0590.

Type of Review: Extension of a currently approved collection.

Abstracts:

- a. VA Acquisition Regulation Clause 852.237-7 is used in solicitations and contracts for the acquisition of non-personal health care services. It requires the bidder/offeror prior to contract award to furnish evidence of insurability of the offeror and/or all healthcare providers who will perform under the contract. The information provided is used to ensure that VA will not be held liable for any negligent acts of the contractor or its employees and that VA and VA beneficiaries are protected by adequate insurance coverage.
- b. Clause 852.228-71 (formerly 852.237.71) is used in solicitations for vehicle or aircraft services. It requires the bidder/offeror prior to contract award to furnish evidence that the firm possesses the types and amounts of insurance required by the solicitation. The information is necessary to ensure that VA beneficiaries and the public are protected by adequate insurance coverage.
- c. Clause 852.207-70 is used in solicitations for commercial items and services where the work is currently being performed by VA employees and where those employees might be displaced as a result of an award to a commercial firm. The clause requires the contractor to report the names of the affected Federal employees offered employment opening and the names of employees who applied for but not offered employment and the reasons for withholding offers to those employees. The

information collected is used by contracting officers to monitor and ensure compliance by the contractor under the requirements of Federal Acquisition Regulation Clause 52.207-3, Right of First Refusal of Employment.

An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The *Federal Register* Notice with a 60-day comment period soliciting comments on this collection of information was published on January 31, 2014, at pages 5530-5531.

Affected Public: Business or other for-profit; Individuals and households; Not-for-profit institutions, and State, Local or Tribal Government.

Estimated Annual Burden:

- a. Veterans Affairs Acquisition Regulation Clause 852.237-7, Indemnification and Medical Liability Insurance - 750 hours
- b. Veterans Affairs Acquisition Regulation Clause 852.228-71 (formerly 852.237.71), Indemnification and Insurance - 250 hours.
- c. Veterans Affairs Acquisition Regulation Clause 852.207-70, Report of Employment under Commercial Activities - 15 hours.

Estimated Average Burden Per Respondent:

- a. Veterans Affairs Acquisition Regulation Clause 852.237-7, Indemnification and Medical Liability Insurance - 30 minutes.
- b. Veterans Affairs Acquisition Regulation Clause 852.228-71 (formerly 852.237.71), Indemnification and Insurance - 30 minutes.

- c. Veterans Affairs Acquisition Regulation Clause 852.207-70, Report of Employment under Commercial Activities 30 - minutes.

Frequency of Response: On occasion.

Estimated Number of Respondents:

- a. Veterans Affairs Acquisition Regulation Clause 852.237-7, Indemnification and Medical Liability Insurance - 1,500.
- b. Veterans Affairs Acquisition Regulation Clause 852.228-71 (formerly 852.237.71), Indemnification and Insurance - 500.
- c. Veterans Affairs Acquisition Regulation Clause 852.207-70, Report of Employment Under Commercial Activities - 30.

Dated: May 22, 2014.

By direction of the Secretary.

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Crystal Rennie, Department Clearance Officer,  
Department of Veterans Affairs.

[FR Doc. 2014-12236 Filed 05/27/2014 at 8:45 am; Publication Date: 05/28/2014]